THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.25387 of 2005

Date:29.12.2005

Between:

Smt.T.A.Ashalatha, w/o K.Ajay Kumar,

Aged about 35 years, Junior Lecturer in English,

A.P.Social Welfare Residential Junior College,

Polasanipalli, West Godavari District.

…. Petitioner

A n d

The Secretary, A.P.Social Welfare

Residential Education Institutions Society,

(Regd.)Hyderabad and another .

… Respondent

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W.P.No.25387 of 2005

ORDER:

Petitioner is working as Junior Lecturer in English in the A.P.Social Welfare Residential Junior College, Polasanipalli in West Godavari District. She states that her husband is lecturer in Telugu in Nagarjuna University and is residing at Vijayawada. Pleading that her in-laws are old and bed-ridden and that her children need her personal care, the petitioner made a representation to the respondent to

transfer her to a residential collage at Vijayawada, where there exists a clear vacancy. Through orders dated 30.6.2005, the first respondent retained the petitioner at the existing place, making a reference to the alleged request of the petitioner for retention. The petitioner challenges the same.

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

Petitioner has been working at various places in the state ever since her appointment in the year 1999. She has filed a letter issued by the Nagarjuna University, certifying that her husband is working as Telugu Lecturer in University College and that the said post is non-transferable. Petitioner states that she never made representation for retention at the existing place and, on the other hand, places before this Court a copy of the representation made by her requesting the respondents to post her at Vijayawada.

The impugned order proceeded as though petitioner wanted retention. To that extent it cannot be found fault with. If the emphasis of the petitioner is to transfer her to Vijayawada and if there is clear vacancy at Vijayawada, there is no reason why the respondents shall not consider the same, in proper perspective. It is not in dispute that the policy of the Government also is to ensure, as far as possible, that the spouses are posted at the same place.

For the foregoing reasons, the writ petition is disposed of directing the first respondent to consider the matter afresh and in case there exists a clear vacancy at Vijayawada, to take necessary steps, for transferring the petitioner and post her, within a period of six weeks from today. There shall be no order as to costs.

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29.12.2005.

mdaa.